

AMENDED

Serial No.

53834

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

NEW PRIORITY DATE:

~~SEP--8-1989~~

JAN 29 1998

Date of filing in State Engineer's Office.....

OCT 10 1989

Returned to applicant for correction.....

OCT 13 1989

Corrected application filed.....

Map filed.....

OCT 13 1989

The applicant..... Lands of Sierra, Inc.

50 West Liberty #720

of

Reno

Street and No. or P.O. Box No.

City or Town

Nevada 89501

State and Zip Code No.

hereby makes application for permission to change the

Point of Diversion, manner of use and place of use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under.....

Permit #36361

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is..... Underground (Toano Construction Well)  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed..... 3.0 cfs  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.
3. The water to be used for..... Industrial & Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for..... Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 5, T 39 N, R 66 E,  
Describe as being within a 40-acre subdivision of public survey and by course and  
MDM, from which the NW corner of said section bears N 12° 59' W 2206 feet distance  
distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 30, T 42 N, R 66 E, MDM,  
If point of diversion is not changed, do not answer  
from which the SW corner of said section bears S 45° W, 100 feet distance
7. Proposed place of use Sections 16-21, inclusive and 28-30, inclusive, T.40N., R.66E.,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
MDM
8. Existing place of use S $\frac{1}{4}$  Section 30, T 42 N, R 66 E, MDM (320 acres)  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) The well has been constructed under authority  
of waiver W-280. A turbine pump will be State manner in which water is to be diverted, i.e., diversion structure, ditches,  
installed and transmission line & storage tank will be built to transport water  
pipes and flumes, or drilled well, etc. to proposed place of use.
12. Estimated cost of works..... \$18,000.00
13. Estimated time required to construct works..... Three Years

14. Estimated time required to complete the application of water to beneficial use.....Eight Years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water from this source will be first used during the construction period  
for the first several generating units to be built for Thousand Springs  
Generating Company, about 1991-1999, and will then be applied to plant  
cooling requirements.

By s/William A. Nisbet Agent  
421 Court Street  
Elko, Nevada 89801

Compared.....pm/bp.....bp/vw.....

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 36361 is issued subject to the terms and conditions imposed in said Permit 36361 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....3.0.....cubic feet per second.....but not to exceed 312.8 million gallons annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....April 12, 1992

Proof of completion of work shall be filed before.....May 12, 1992

Application of water to beneficial use shall be made on or before.....April 12, 1994

Proof of the application of water to beneficial use shall be filed on or before.....May 12, 1994

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.,

Proof of beneficial use filed.....State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed.....office, this.....2nd.....day of.....July.....

Certificate No.....Issued.....

A.D. 19.....90

*[Signature]*  
State Engineer

CANCELLED JAN 05 1998  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
BECAUSE OF FAILURE  
FILED 7-10-2000  
SEE STIPULATION & ORDER